

FISHER & PHILLIPS LLP
3993 Howard Hughes Parkway, Suite 650
Las Vegas, Nevada 89169

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRUSTEES OF TEAMSTERS
LOCAL 631 SECURITY FUND
FOR SOUTHERN NEVADA,
Plaintiff,

vs.

NATIONAL CONVENTION
SERVICES, INC., a revoked New
York corporation; JOSEPH A.
SANTAMORENA, an individual
doing business as NATIONAL
CONVENTION SERVICE; and
WESTERN SURETY
COMPANY,

Defendants.

CASE NO.: 2:07-cv-01348-LRH-LRL

**MOTION OF DEFENDANT
NATIONAL CONVENTION
SERVICES, INC. FOR EXTENSION
OF TIME TO FILE OPPOSITION
TO PLAINTIFF'S APPLICATION
FOR DEFAULT JUDGMENT AND
ORDER THEREON**

(First Request)

Defendant NATIONAL CONVENTION SERVICES, INC.,
("NATIONAL"), by and through its undersigned counsel, Fisher & Phillips LLP, in
accordance with Local Rules 6-1 and 6-2 of this Court, hereby moves for an extension
of time to file its opposition to Plaintiff's Application for Default Judgment, filed with
this Court on September 15, 2008.

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1 This Motion is made based upon the pleadings on file herein, together with the
2 following Memorandum of Points and Authorities.

3 Dated this 3rd day of October, 2008.

4 FISHER & PHILLIPS

5
6 /s/ Jeffrey D. Winchester
7 Mark J. Ricciardi, Esq.
8 Jeffrey D. Winchester, Esq.
9 3993 Howard Hughes Pkwy, Suite 650
10 Las Vegas, Nevada 89169
11 Attorneys for Defendant
12 National Convention Services, Inc.

13 **MEMORANDUM OF POINTS AND AUTHORITIES**

14 Plaintiff's Application for Default Judgment was served upon National via U.S.
15 Mail on September 15, 2008. Therefore, this Motion is filed within the allotted time
16 period to file oppositions to motions as set forth in Local Rule 7-2.

17 The factors supporting this Motion are as follows: The undersigned counsel
18 were just retained by National within the past few days to represent National in this
19 matter. At the outset of the representation, it appeared that the matter might be resolved
20 without the necessity of filing an opposition to the Application for Default Judgment.
21 Settlement discussions are ongoing, and it appears that there is a good chance that the
22 matter may be amicably settled. As such, entry of a default judgment would be highly
23 prejudicial to National.

24 Prior to filing this Motion for Extension of Time, counsel for National
25 approached counsel for Plaintiff and requested counsel's consent to a stipulation to
26 extend National's time to file an opposition to their Motion. Counsel for Plaintiff
27 refused to agree to said stipulation.
28

1 Therefore, National respectfully requests an additional twenty (20) days to
2 oppose or otherwise respond to Plaintiff's Application for Default Judgment, up to and
3 including October 23, 2008.

4 Dated this 3rd day of October, 2008.

Respectfully submitted,

FISHER & PHILLIPS

7 /s/ Jeffrey D. Winchester

Mark J. Ricciardi, Esq.

Jeffrey D. Winchester, Esq.

3993 Howard Hughes Pkwy, Suite 650

Las Vegas, Nevada 89169

Attorneys for Defendant

National Convention Services, Inc.

ORDER

12 IT IS SO ORDERED:

13
14 That Defendant National Convention Services, Inc.'s ("National") Motion For
15 Extension Of Time To File Opposition To Plaintiff's Application For Default Judgment
16 is granted. National is granted an extension of time up to and including October 23,
17 2008, within which to file its opposition.



19 DATED: October 6, 2008

20 LARRY R. HICKS

UNITED STATES DISTRICT JUDGE

FISHER & PHILLIPS LLP
3993 Howard Hughes Parkway, Suite 650
Las Vegas, Nevada 89169